

LPDES PERMIT NO. LA0109606 (Agency Interest No. 26336)

LPDES STATEMENT OF BASIS
FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM
(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA

- I. Company/Facility Name:** Shell Chemical L.P.
Norco Chemical Plant – East Site
P.O. Box 10
Norco, Louisiana 70079
- II. Issuing Office:** Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Water Permits Division
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
- III. Prepared By:** Melanie Beard Connor
Industrial Water Permits Section
Water Permits Division
Phone #: (225) 219-3088
Fax #: (225) 219-3309
E-mail: melanie.connor@la.gov

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LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

IV. Permit Action/Status:

A. Reason For Permit Action:

Proposed reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46.

In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes

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only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX, Chapter 11) will not have dual references.

- B. LPDES permit: Permit effective date: October 1, 2002
 Permit expiration date: September 30, 2007

EPA has not retained enforcement authority.

- C. Application submittal date: Application received on April 4, 2007

V. Facility Information:

- A. Location – 15536 River Road, Norco, St. Charles Parish (Latitude 29°59'32", Longitude 90°24'25").

- B. Applicant Activity -

According to the application, Shell Chemical LP/Norco Chemical Plant – East Site is an organic chemical manufacturing facility. No process wastewaters are discharged from the East Site. All process wastewaters from the site are routed to the Shell Norco Chemical Plant – West site and are authorized under LPDES permit LA0005762. All stormwater from the facility are routed to Outfalls 002 and 006 of the LPDES permit for Motiva Enterprises, LLC (LA0003522).

- C. Fee Rate -
1. Fee Rating Facility Type: Minor
 2. Complexity Type: II (the complexity type has been assigned on a BPJ basis because the only wastewater authorized under this permit is clarifier underflow)
 3. Wastewater Type: III
 4. SIC code: 2869

VI. Receiving Waters: Mississippi River

Mississippi River:

- A. River Basin: Mississippi River, Segment No.: 070301

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B. Designated Uses: primary contact recreation, secondary contact recreation, fish and wildlife propagation, and drinking water supply

VII. Outfall Information:

Outfall 001

- A. Type of wastewater – The continuous discharge of the underflow stream from the raw river water clarification system
- B. Location – at the point of discharge of underflow from the raw river water clarification system prior to discharge to the Mississippi River (Latitude 29°59'32", Longitude 90°24'25").
- C. Treatment – None
- D. Flow – Continuous: 0.39 MGD (30-Day Max)
- E. Receiving waters – Mississippi River
- F. Basin and segment – Mississippi River Basin, Segment 070301

VIII. Proposed Permit Limits and Rationale:

The specific effluent limitations and/or conditions will be found in the draft permit. Development and calculation of permit limits are detailed in the Permit Limit Rationale section below.

A. PERMIT CHANGES

- 1. Outfall 001 – Monitoring requirements for Total Nitrogen have been removed from the permit. The previous permit required monitoring because of the receiving stream's 303(d) impairment for nutrients. Since that time, the Mississippi River has been delisted and is no longer impaired for nutrients.

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C. PROPOSED PERMIT LIMITS

Outfall 001 – The continuous discharge of the underflow stream from the raw water intake clarification system

Parameter	Proposed Permit Limitations		Monitoring Freq.	Rationale
	Monthly Avg mg/l	Daily Max mg/l		
Flow – MGD	Report	Report	1/week	LAC 33:IX.2707.1.1.b.
Coagulants(*1)	---	---	---	BPI, previous permit

(*1) The quantity and types of all coagulants (clarifying agents) used in the raw river water treatment clarification system during the sampling month shall be recorded. Records of the quantity and type of coagulants used shall be retained for three (3) years following Part III.C.3. No DMR reporting shall be required.

IX. **Compliance History/DMR Review:**

Shell Chemical, LP was issued a Settlement Agreement (SA-AWE-06-0052) on May 7, 2007. This agreement settled several air and water enforcement actions relating to various Shell Chemical LP sites (Norco, Taft, St. Rose and Geismar). There were no water enforcement actions addressed in the settlement agreement that were related to the Norco Chemical Plant – East Site.

DMR Review

There are no effluent limitations in the LPDES permit for the Norco Chemical Plant – East Site. Therefore, no excursions were reported.

X. **Endangered Species:**

The receiving waterbody for the Norco Chemical Plant – East Site is Subsegment 070301 of the Mississippi River Basin. Segment 070301 of the Mississippi River Basin has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as a threatened or endangered species. This draft permit has been submitted to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). As set

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forth in the Memorandum of Understanding between the LDEQ and the FWS, and after consultation with FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. Effluent monitoring requirements are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

XI. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

XII. Tentative Determination:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharges described in the application.

XIII. Variances:

No requests for variances have been received by this Office.

XIV. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

A public notice will be published in a local newspaper of general circulation and in the Office of Environmental Services Public Notice Mailing List.

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XV. TMDL Waterbodies:

Shell Chemical LP discharges clarifier underflow to the Mississippi River (Segment 070301). Segment 070301 is not listed on LDEQ's Final 2006 303(d) List, as impaired, and to date no TMDLs have been established.

A reopener clause will be included in the permit to allow for the establishment of more stringent effluent limitations and requirements as imposed by any future TMDLs.

XVI. Stormwater Pollution Prevention Plan (SWP3) Requirements:

In accordance with LAC 33:IX.2707.1.3 and 4[40 CFR 122.44(l)(3) and (4)], a Part II condition is proposed for applicability to all stormwater discharges from the facility, either through permitted outfalls, through outfalls which are not listed in the permit or as sheet flow. The Part II condition requires implementation of a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit, along with other requirements. If the permittee maintains other plans that contain duplicative information, that plan could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of storm water associated with industrial activity, as defined at LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].